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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,436	07/31/2001	Shrikant Jannu	1541 (4000-02100)	4193

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EXAMINER
BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/919,436	JANNU ET AL.
Office Action Summary	Examiner	Art Unit	
	Douglas B. Blair	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 May 2006</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Response to Amendment

Claims 1-21 are currently pending in this application.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1, 6-7, and 11-16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent Number 6,948,174 to Chiang et al..

3.   As to claim 1, Chiang teaches a method for asynchronous brokering of messages between

middleware computing systems, comprising: receiving a message sent from a first application

into a first middleware computing system (col. 10, lines 18-45 and col. 12, lines 38-59, see

mapping in Response to Arguments below); receiving the message for a sending middleware

computing system into a middleware brokering server (col. 10, lines 46-61 and col. 12, lines 38-

59); and sending the message from the middleware brokering server to a brokering server to a

second middleware computing system that receives the messages (col. 10, lines 46-61 and col.

12, lines 38-59); and sending the message from the second middleware computing system to a

second application that receives the message (col. 10, lines 46-61 and col. 12, lines 38-59).

4.   As to claim 6, Chiang teaches the method of claim 1 wherein the message is converted

from a native language format of the sending middleware computing system to a structured event

message format prior to being sent by the middleware brokering server (col. 10, lines 18-61).

5.   As to claim 7, Chiang teaches the method of claim 6, wherein the message is converted

from the native language format by mapping a plurality of fields in the native format into

corresponding fields in the structured event message format (col. 10, lines 18-61).

6.   As to claim 11, Chiang teaches the method of claim 1, wherein the message is converted

from a structured event message format to a native language format of the receiving middleware

computing system prior to being received by the receiving middleware computing system (col.

10, lines 18-61).

7.   As to claims 12-13, they feature the same limitations as claim 11 and are therefore

rejected for the same reasons as claim 11.

8.   As to claim 14, Chiang teaches the method of claim 11, wherein the message is converted

from the structured event message format by mapping a plurality of fields in the structured event

format into corresponding fields in the native language format (col. 10, lines 18-61).

9.   As to claims 15-16, they feature the same limitations as claim 14 and are therefore

rejected for the same reasons as claim 14.

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person

> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 2-5, 8-10, and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,948,174 to Chiang et al..

1.   As to claim 2, Chiang teaches the method of claim 1, wherein the sending first middleware computing system ad the receiving second middleware computing system are slected from the group consisting of a mainframe system, CORBA compliant system, and a Java system (col. 10, lines 18-61); however, Chiang does not explicitly teach the use of JMS messages with Java.

Chiang teaches the use of numerous software applications and the use of Java, so though not explicitly mentioned Java Message Service format was a well-known way to communicate with applications at the time of the invention.

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Chiang regarding the exchange of data between numerous applications on varying platforms with the use of JMS messages because the various applications discussed by Chiang could include applications that use JMS messages, without departing from the scope of the Chiang invention.

12.   As to claim 3, Chiang teaches a method wherein the sending middleware computing system communicates with the middleware broker server via point to point message and wherein the middleware brokering server communicates with the receiving second middleware computer system via publish and subscribe messaging (col. 10, lines 18-61).

13.   As to claim 4, Chiang teaches a method wherein the sending middleware computing

system of a first message is the receiving second middleware computing system of a second

message (col. 10, lines 18-61).

14.   As to claim 5, Chiang teaches a method of receiving at a second middleware computing

system of a first message sending first middleware computing system of a second message (col.

10, lines 18-61).

15.   As to claims 8-10 and 17-19, these formats are made obvious for reasons pointed out in

the rejection of claim 2.

16.   As to claim 20, Chiang teaches a publish and subscribe message comprising push-pull

paradigm across at least one messaging channel (col. 12, lines 10-59).

17.   As to claim 21, Chiang teaches designating quality of service attributes when configuring

a channel (col. 12, lines 10-59).

Response to Arguments

18.   Applicant's arguments filed 5/26/2006 have been fully considered but they are not

persuasive. The applicant argues that Chiang does not teach or suggest sending a message from

a middleware brokering server to a second middleware computing system that receives the

message because Chiang only shows one middleware computing system that performs

integration between a middleware computing system and enterprise applications. While the

applicant is correct in saying that Chiang describes one middleware computing system that

performs integration between a middleware computing system and enterprise applications, the

assertion by the applicant that Chiang *only* teaches this scenario is incorrect. The applicant is

directed towards col. 12, lines 38-59 which provide an example of how the Chiang reference teaches the use of a second middleware system.

In this portion of Chiang, form values equate to a message that is passed from an application being an HTML page to a middleware system that translates the message into an IMS Connect XML-formatted message (col. 12, lines 43-47). The IMS Connect XML-formatted message is then delivered to the IMS gateway, functioning as a middleware-brokering server (col. 12, lines 47-48). The IMS gateway then sends the XML document to be translated to message data structures in COBOL via some form of second middleware process (col. 12, line 49-51). Finally, the translated message causes an IMS COBOL application program to run (col. 12, lines 51-55).

Conclusion

19.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

20.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The

examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER